

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOHN W. DIXON,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

Civil No. 3:10-cv-05490-JRC

ORDER REVERSING AND  
REMANDING

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judges' Rule MJR 13. (See also Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, ECF No. 3; Consent to Proceed Before a United States Magistrate Judge, ECF No. 11.) This matter is before this Court on parties' Stipulated Motion for Remand. (ECF No. 23.)

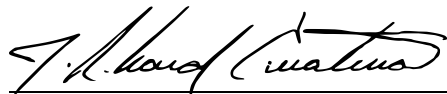
Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's applications for disability insurance benefits under Title II and Supplemental Security Income benefits under Title XVI of the Social Security Act be REVERSED and REMANDED to the Commissioner of Social Security for further

1 administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the  
2 Administrative Law Judge will give further consideration to the treating medical source opinion  
3 of Tresha Dronen, D.O.; give further consideration to the nonexamining medical source  
4 opinion(s) of record; consider all third party testimony and written statements; further evaluate  
5 the claimant's subjective complaints; further consider the claimant's residual functional capacity;  
6 further evaluate the claimant's work history and which of the claimant's previous jobs constitute  
7 past relevant work; and if warranted by the expanded record, obtain supplemental evidence from  
8 a vocational expert.

9 This Court hereby reverses the Commissioner's decision under sentence four of 42  
10 U.S.C. §405(g) with a remand of the cause to the Commissioner for further proceedings. See  
11 Melkonyan v. Sullivan, 501 U.S. 89 (1991).

12 Upon proper presentation to this Court, Plaintiff will be entitled to reasonable attorney  
13 fees and costs pursuant to 28 U.S.C. §§ 1920, 2412(d).

14 DATED this 5th day of January 2011.

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17 J. Richard Creatura  
18 United States Magistrate Judge  
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